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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,900	01/07/2004	Susan Jamie Borofsky	1592.028US1	8154
21186	7590	07/17/2007		
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			EXAMINER PYO, MONICA M	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 07/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/753,900	Applicant(s) BOROFSKY ET AL.	
	Examiner Monica M. Pyo	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/26/2007 has been entered.

2. Claims 1-21 are currently pending in this application. Claims 1, 8 and 15 are independent claims. In the Amendment filed 3/26/2007, claims 1, 8 and 15 are amended.

Claim Rejections - 35 USC § 112

3. The claim amendment received on 3/26/2007. The changes are acknowledged and therefore, the 35 U.S.C. 112, second paragraph rejections made in a prior Office Action are withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-10, 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0103017 by Reed et al. (hereinafter Reed) in view of U.S. Patent No. 6,029,165 issued to Gable (hereinafter Gable), further in view of U.S. Patent No. 5,966,695 issued to Melchione et al. (hereinafter Melchione).

Regarding Claims 1, 8 and 15, Reed disclose a method for custom query generation, comprising:

A). receiving a query within a segmentation tool, wherein the query is directed to one or more data sources that are not mapped in the segmentation tool, and is unknown to the segmentation tool and unrecognized by query interfaces used by the segmentation tool; as a Prospect Analytic Record when the targeted consumers are not current customers (Reed: pg. 3, [0027-0028 & 0030]; pg. 4, [0041]);

B). receiving a key selection and a table selection for the query, wherein the key and table selections are associated with data elements of a customer hierarchy that is mapped within the segmentation tool to different data sources, as the txn_table and the behavior_segment (Reed: pg. 3, [0029]);

C). modifying the query using the key and table selections to link results of the query to selective data elements of the customer hierarchy associated with the different data sources, as the txn_table and the cust_id (Reed: pg. 3, [0030]); and

D). generating a custom query based on the query and the modifications, wherein when the custom query is executed within the segmentation tool a customer segment for a marketing campaign is generated by querying the unmapped data sources with the query to get the results and then by querying the mapped and different data sources with the modifications, the modifications use the key and table selections, to acquire the selective data elements from the customer hierarchy in order to produce the customer segment, as the Prospect Analytic Record when the targeted consumers are not current customers and as the txn_table and the cust_id (Reed: pg. 3, [0030, 0031, 0035], pg. 4, [0043]).

Reed does not explicitly disclose:

- A). wherein metadata associated with the one or more data sources**
- B). a customer hierarchy that is mapped to different data sources;**
- C)/D). to link results of the query to selective data elements of the customer hierarchy associated;**

However, Gable discloses:

- A). wherein metadata associated with the one or more data sources,** as a metadata about content sources (Gable: col. 9, lns. 66-col. 10, lns. 12);
- C)/D). to link results of the query to selective data elements of,** as to topics being linked to the search elements (Gable: col. 5, lns. 6-20).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Reed with the teachings of Gable to utilize the metadata with the motivation to enhance the system to search multiple sources of information (Gable: col. 1, lns. 13-29).

Reed and Gable does not explicitly disclose:

- B). a customer hierarchy that is mapped to different data sources;**
- C)/D). the customer hierarchy associated.**

However, Melchione discloses:

- B). a customer hierarchy that is mapped to different data sources,** as a three-tier-hierarchy with households, customers, and accounts which are linked via account levels per customer(s) (Melchione: col. 10, lns. 66-col. 11, lns. 27);

C)/D). the customer hierarchy associated, as the three-tier-hierarchy (Melchione: col. 10, Ins. 66-col. 11, Ins. 27).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Reed and Gable with the teachings of Melchione to utilize the customer hierarchy with the motivation to enhance a customer database with records hierarchy (Melchione: col. 1, Ins. 60-65).

Regarding Claims 2, 12 and 17, Reed and Gable and Melchione disclose the method wherein receiving the query further includes importing a file that includes at least a portion of the query into a segmentation query-build interface (Reed: pg. 3, [0028]; pg. 4, [0041]) and (Melchione: col. 10, Ins. 53-62).

Regarding Claims 4 and 19, Reed and Gable and Melchione disclose the method wherein the receiving the query further includes receiving at least a portion of the query from a paste operation into a segmentation query-build interface (Reed: pg. 3, [0028]; pg. 4, [0041]) and (Melchione: col. 20, Ins. 21-34).

Regarding Claims 5 and 13, Reed and Gable and Melchione disclose the method further comprising associating a unique identifier with the custom query, wherein the unique identifier is used to save and recall the custom query for subsequent use (Melchione: col. 24, Ins. 42-57) and (Reed: pg. 4, [0041]).

Regarding Claim 6, Reed and Gable and Melchione disclose the method further comprising receiving a command to execute the custom query from within the segmentation tool (Reed: pg. 3, [0028, 0029]) and (Melchione: col. 13, lns. 44-47).

Regarding Claim 7, Reed and Gable and Melchione disclose the method further comprising mapping data elements associated with the custom query to the segmentation tool for subsequent uses (Melchione: col. 24, lns. 42-57) and (Reed: pg. 4, [0041]).

Regarding Claim 9, Reed and Gable and Melchione disclose the system wherein the segmentation tool includes a query selection interface having at least two options, a first option for selecting queries associated with mapped tables, and a second option for selecting the custom query interface for generating the custom queries (Reed: pg. 3, [0028]) and (Melchione: col. 10, lns. 53-62; col. 13, lns. 16-26; col. 15, lns. 58-67).

Regarding Claim 10, Reed and Gable and Melchione disclose the system wherein the custom queries are written in SQL syntax (Reed: pg. 3, [0029-0030]).

Regarding Claim 14, Reed and Gable and Melchione disclose the system wherein the custom query interface includes an option that displays documentation and other metadata about the custom queries (Reed: pg. 3, [0028]) and (Gable: col. 9, lns. 66-col. 10, lns. 12) and (Melchione: col. 32, lns. 15-23).

Regarding Claim 16, Reed and Gable and Melchione disclose the data structure wherein the user-supplied query logic is supplied from within a custom query interface that is integrated into the segmentation tool (Reed: pg. 3, [0027-0028]; pg. 4, [0041]).

Regarding Claim 18, Reed and Gable and Melchione disclose the data structure wherein the user-supplied query logic is manually entered into the custom query interface (Reed: pg. 3, [0028]) and (Melchione: col. 26, lns. 42-52).

Regarding Claim 20, Reed and Gable and Melchione disclose the data structure wherein the syntax of the user-supplied query logic is validated by the custom query interface (Reed: pg.3, [0028]; pg. 4, [0040]) and (Melchione: col. 11, lns. 66-67; col. 12, lns. 1-6).

Regarding Claim 21, Reed and Gable and Melchione disclose the data structure wherein the automatically generated query logic is not modifiable (Melchione: col. 14, lns. 37-45).

6. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed in view of Gable, further in view of Melchione as applied to claims 1-2, 4-10, 12-21 above, and further in view of U.S. Patent Application Publication No. 2003/0220917 by Copperman et al. (hereafter Copperman).

Regarding Claims 3 and 11, Reed and Gable and Melchione disclose the method wherein interacting with a segmentation query-build interface (Reed: pg. 3, [0028]).

Reed and Gable and Melchione do not explicitly disclose:

the method wherein receiving the query further includes interactively receiving at least some portions of the query from a user.

However, Copperman discloses the user interaction and the user's responses, which correspond to disclose the method wherein receiving the query further includes interactively receiving at least some portions of the query from a user (Copperman: pg. 4, [0034]).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Reed and Gable and Melchione with the teachings of Copperman to utilize the user's response by interaction with the motivation to enhance making a proper decisions by allowing a user to enhance the query method within the CRM system (Copperman: pg. 1, [0006]).

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon & Thur 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
Examiner
Art Unit 2161

mpyo
7/7/2007


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SUPERVISORY PATENT EXAMINER